

### REMARKS

The Office Action mailed October 2, 2003, has been carefully considered together with each of the references cited therein.

Claims 1-17 are presented for examination.

Claim 17 has been amended, as suggested by the examiner to change "sequa<sup>l</sup> path" to --signal path-- and to correct the spelling of "comprising." Applicants urge that the objection to Claim 17 be withdrawn.

Claims 1-3 and 6 were rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (U.S. Pat. 6,556,810).

Patent No. 6,556,810 to Suzuki, beginning at Col.7, line 63, in the description of Embodiment 3, states that the speed detecting means 15 detects the travel/stop of the mobile unit 1 based on its travel speed, and when the travel speed is 0, that is, when the mobile unit 1 is at a standstill, the speed detecting means 15 sends to the control means 16 information indicating that the mobile unit 1 is at a standstill. The control means 16 responds to the information from the speed detecting means 15 to control the disturbing wave generating means 12 not to generate the disturbing wave. When the mobile unit 1 is traveling, the speed detecting means 15 sends to the control means 16 information indicating that the mobile unit 1 is traveling. The control means 16 responds to the information from the speed detecting means 15 to control the "disturbing wave generating means 12 to emit the disturbing wave from the disturbing wave emitting antenna 13."

Patent No. 6,556,810 to Suzuki, beginning at Col.8, line 28 states that while the mobile unit 1 is at a standstill, the communication terminal equipment 11 can be used. On the other hand, when the handbrake 17 is released and the mobile unit 1 starts to travel, the control means 16 detects the off state of the handbrake 17 and controls the "disturbing wave generating means 12 to emit the disturbing wave from the disturbing wave emitting antenna 13." Suzuki claims to inhibit the use of RF devices, such as portable phones, by utilizing a "disturbing wave generating" means. The disturbing wave basically produces a strong enough signal to "jam" or interfere with the portable phone.

As described at page 4 of Applicants' original disclosure:

"The signal on line 26 is applied to processor 14 which may be a "stand alone" programmable processor 14 generating appropriate access control signals on line 27 to blanking devices 15, 16, 17 and 18 associated with communications devices 19, 20, 21 and 22 respectively, the utilizations of which are to be controlled. Blanking device 15 when activated shuts down output transducer 31 of radio 19; likewise device 16 controls output transducer 32 of cell phone 20, device 17 controls the screen 33 of pager 21 and device 18 controls the output interface 34 of auxiliary device 22.

"Alternatively the utilization control signal processor may be embodied in computer 28 through software programming of the computer hardware. Computer 28 may be a "PC" or other type computer also used as a communications device and part of the vehicle system. The programming processor 14 includes utilization control of the computer user interfaces such as the monitor 29 and keyboard 30."

Claim 1 has been amended to more clearly define the utilization control system for limiting access by the operator of a vehicle to a programmable computer having ports for delivering output signals to communications devices mounted on said vehicle comprising: at least one vehicle motion condition detector providing signals indicative of current motion of said vehicle and of potential motion of said vehicle; at least one signal processor responsive to signals provided by said at least one detector indicative of vehicle motion and potential vehicle motion to generate blanking signals; at least one vehicle mounted communications device; and at least one blanking device associated with a signal processor and a communications device to shut down output from the computer ports to said communications device to prevent utilization or interaction with said at least one communications device by said vehicle operator.

Claims 2, 3 and 6 are dependent on Claim 1. Suzuki uses a "control means" to turn on and off the disturbing wave device. The invention defined by Claims 1-3 and 6

uses a software control program running on the device to be inhibited as the means to inhibit use of the device. The action is different and not suggested by the references.

Claims 4, 5, and 7-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Morimoto et al. (U.S. Pat. 5,757,359). Claims 4-11 are dependent on Claim 1.

Claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Wood (U.S. Pat. 4,529,429).

The examiner stated that Suzuki discloses a communication inhibiting device and communication inhibiting system comprising at least one vehicle motion condition detector 15 providing signals indicative of current motion of the vehicle (figures, Col. 7, lines 65-67); at least one signal processor 16 responsive to signals provided by the at least one detector indicative of vehicle motion (Col 8, lines 1-16); at least one vehicle mounted communication device 11 and at least one blanking device responsive to the blanking signals to prevent utilization with the at least one communications device by the vehicle operator (Col. 2, lines 33-60, and Col. 8, lines 7-16).

The examiner stated that Suzuki discloses a signal processor comprising a programmable digital processor in the form of the control means 16 (Col. 8, lines 30-36), but does not directly show the programmable digital signal processor is a 'PC" type computer as claimed in Claims 4, 5, and 7-15. The examiner further indicated that Suzuki does not show an optical isolator circuit in the signal path between the at least one vehicle motion condition detector and the at least one signal processor, as called for in Claim 16.

Patent 5,757,359 to Morimoto discloses a vehicular information display system. The patent states that by changing the display colors, rather than deleting the running-inoperable keys the user is not misled to believe that the system has gone down. The disclosure states that the running-inoperable keys can be given a color such as a dark color different from that of other keys. FIGS. 2(a) and 2(b) of Morimoto illustrate change in a picture display between running (FIG. 2(a)) and stopped (FIG. 2(b)), by a key

operation.

Applicants respectfully take issue with the position of the examiner that using a programmable "PC" type computer in the claimed combination is taught by Morimoto et al. (figure 2c, Col. 5, lines 65-67, and Col. 6, lines 1 -5). It would not have been obvious to one of ordinary skill in the art at the time the invention was made to modify and redesign the system of Suzuki to shut down output from the computer ports to a communications device to prevent utilization or interaction with the communications device by the vehicle operator, as called for in Claim 4 - 11, when the vehicle is running. Suzuki activates a "disturbing wave generating" means and Morimoto inhibits some features of a navigation system and/or enhances the use of said navigation system to help limit the distraction of the driver of the vehicle. The apparatus defined by Claims 4-11 totally inhibits or blocks the use of a programmable device (PC or PDA) by disabling the keyboard, mouse and pen input and "blanks" the screen. User applications are left running on the device but are simply unavailable to the driver.

Claims 12 - 17 call for a utilization control system for limiting access by the operator of the vehicle to communications devices mounted on said vehicle including a programmable digital computer used as a communication device on board said vehicle and additionally programmed to be responsive to signals indicative of motion and of potential motion to generate blanking signals applied to the digital computer and limiting said operator's utilization of said computer.

Patent 4,529,429 to Wood discloses electronic controllers that provide activation signals to selectively activate or deactivate solenoid operated valves to effect precise initiation of movement of the various components in an individual section machine. The patent states that the basic block makeup of such systems is shown in FIG. 1 and includes an electronic control unit 17, operator controls 15 for changing timing and starting and stopping the I.S. machine, a central console 18 and mass storage 19 for programming and/or providing data to the electronic control unit 17, and a pulse generator 16 for

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providing timing signals to the electronic control unit in synchronization with the movement of certain components of the glass forming machine including the plunger, shears, and molten glass distributor.

Applicants urge that Wood in non-analogous art and neither the primary nor the secondary references contain any teaching which would suggest the proposed combination of the references.

The invention defined by Claims 1-17 was designed to inhibit the use of a device that includes an embedded programmable processor such as a PC or PDA. The structure discussed by the examiner regarding Claims 2-11 and 13-17, selected from the various references, does not shut down output from computer ports to a communications device to prevent utilization or interaction with the communications device by the vehicle operator when the vehicle is running. As discussed above, Suzuki activates a "disturbing wave generating" means and Morimoto inhibits some features of a navigation system and/or enhances the use of said navigation system to help limit the distraction of the driver of the vehicle. The apparatus defined by Claims 1-17 totally inhibits or blocks the use of a programmable device (PC or PDA) by disabling the keyboard, mouse and pen input and "blanks" the screen. User applications are left running on the device but are simply unavailable to the driver.

Applicants urge that the rejections of Claims 1-3 and 6 under 35 U.S.C. 102(e) as being anticipated by Suzuki (U.S. Pat. 6,556,810); and the rejection of Claims 4, 5, and 7-15 under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Morimoto et al (U.S. Pat. 5,757,359) and the rejection of Claim 16 under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Wood (U.S. Pat. 4,529,429) be reconsidered and withdrawn. The application as now presented appears to be in condition for allowance and such action is respectfully requested.

The additional references to Harris [U.S. Pat. 6,222,458]; Harris [U.S. Pat. 6,580,372]; Wako et al. [U.S. Pat. 6,415,224]; and McElroy et al. [U.S. Pat. 5,835,868] do not contain any teaching that would suggest the combination of elements discussed

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above, and further discussion thereof does not appear to be necessary.

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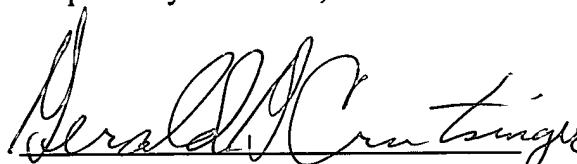
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